UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF RHODE ISLAND

VERMONT MUTUAL INSURANCE COMPANY

Plaintiff

v.

C.A. No. 04-351T

P&J ALARM COMPANY,

Defendant

ORDER

The Court's ruling with respect to the Plaintiff's motion for reconsideration is as follows:

1. Denied with respect to Exhibit A. In its statement of undisputed facts, the Plaintiff may state the substance of Amey Larrat's testimony that it contends bears on any issue relevant to the Defendant's motion for summary judgment.

2. Denied with respect to Exhibits B, C, D. These exhibits have already been included in the Defendant's motion for summary judgment and may be referred to in the Plaintiff's memorandum.

3. Denied with respect to Exhibit E. This appears to have no relevance to the question as to whether the limitation of liability provision is valid.

4. Granted with respect to those portions of Exhibits F and G that refer to the deficiencies and/or code violations in the system installed by the Defendant.

5. Denied with respect to Exhibits H and I. The Plaintiff may include in its statement of undisputed facts that the Defendant lacked a required alarm license.

6. Granted with respect to Exhibit J.

No further motions for reconsideration will be entertained.

IT IS SO ORDERED,

Ernest C Torres

Ernest C. Torres, Chief Judge
Date: June 24 ,2005